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10/019,119	04/04/2002	Jukka Wallenius	4925-197PUS	7804
7590 Michael C Stuart Cohen Pontani Lieberman & Pavane Suite 1210 551 Fifth Avenue New York, NY 10176	12/18/2006		EXAMINER LEE, PHILIP C	
			ART UNIT 2152	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)
	10/019,119	WALLENIUS, JUKKA
	Examiner	Art Unit
	Philip C. Lee	2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 September 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-131 is/are pending in the application.
 - 4a) Of the above claim(s) 38-52, 118-125 and 128-131 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-37, 53-117, 126 and 127 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

1. Claims 1-37, 53-117, 126, and 127 are presented for examination.
2. Information Disclosure Statement filed by the applicant on 04/04/2002 is not considered because a copy of PTO-1449 form is missing.
3. If this application is a 371 of PCT/EP00/06119 filed on 06/30/2000 , a specific reference that this application is a 371 of PCT/EP00/06119 filed on 06/30/2000 must be included in the first sentence(s) of the specification following the title.
4. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in United Kingdom on 07/02/1999. It is noted, however, that applicant has not filed a *-certified copy of the 9915581.4 application as required by 35 U.S.C. 119(b).

Claim Rejections – 35 USC 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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6. Claims 1-26 are rejected under 35 U.S.C. 101 because the claim requirement of "to enable automatic location of site..." does not mean a result is actually performed, hence the claim does not produce a useful, concrete, or *tangible* result.

7. Claims 27-37 and 113-117 are rejected under 35 U.S.C. 101 because a register comprising: content information, associated address information, and location information does not provide functional description language, it is considered as Non-Functional Descriptive Material. Non-functional descriptive material *per se* is an abstract idea, and therefore is not statutory. Non-functional descriptive material is not statutory even if in combination with a physical medium (i.e. no useful, concrete or tangible result is produced)

8. Claims 126 and 127 are rejected under 35 U.S.C. 101 because "A system comprising a register as claimed in claim 27" has the same problem as claim 27 above.

Claim Rejections – 35 USC 112

9. Claims 1-37, 53-117, and 126-127 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack proper antecedent basis:
 - i. the address - claim 2.
 - ii. the current location - claim 4.

- iii. the current address - claims 6 and 56.
- iv. the same content information - claims 7, 8, 9, and 57-65.
- v. the user- claim 10.
- vi. said addresses - claims 13 and 82.
- vii. the geographic area - claim 13.
- viii. the address of a server- claims 14 and 83-94.
- ix. the uniform resource locator format - claim 15.
- x. the frequency - claims 24 and 112.
- xi. the content - claim 27.
- xii. the geographic location - claim 27.
- xiii. the site -claim 27.
- xiv. the requested content - claims 33, 34, and 35.
- xv. said address - claim 113.
- xvi. said terminal - claim 127.

b. Claim language in the following claims is not clearly understood:

- xvii. As per claim 1, lines 3, it is unclear if what is meant by the term "enable" [i.e. it is an indefinite term]; It is unclear if "content" refers to "content information" or "the content" in line 2;It is unclear what is "automatic location" [i.e. does it means "automatic locating"]; Line 4, it is unclear if "the content defining information" refers to "content information" or "the content" in line 2.
- xviii. As per claim 2, line 2, it is unclear if "the content" refers to "content

information" or "the content" in claim 1, line 2, or "content" in claim 1, line 3 or "the content" in claim 1, line 4.

ix. As per claim 3, line 2, it has the same problem as claim 2 above.

As per claim 4, line 2, it is uncertain if "the address of a site" refers to "address information" in claim 3, line 2; it is unclear if "the content" refers to "content information" or "the content" in claim 1, line 2, or "content" in claim 1, line 3 or "the content" in claim 1, line 4; It is unclear what is "the content to find by".

xx. As per claim 5, line 2, it has the same problems as claim 4 above.

xxi. As per claim 6, lines 1-2, it is unclear if "said requested address" refers to "address information" or "the address" in claim 54, line 2 or "the address" in claim 2, line 2.

xxii. As per claim 7, lines 1-2, it has the same problem as claim 6, lines 1-2.

xxiii. As per claim 10, line 2, it is unclear if "said stored addresses" refers to "a plurality of requested addresses" in claim 9, line 2.

xxiv. As per claim 11, line 2, it is not clearly understood if "content information" is the same as "content information" in claim 1, line 2 [if they are the same, then "the content information" must be used].

xxv. As per claim 22, line 2, it is uncertain what does "its" refers to [i.e. "its" is indefinite].

xxvi. As per claim 24, line 2, it has the same problem as claim 22 above.

xxvii. As per claim 25, line 2, it is not clearly understood what is "the said"

xxviii. As per claim 30, line 2, it is unclear if "associated address information"

refers "said address information" in claim 27, line 4 [if they are the same, then "said address information" must be used].

xxix. As per claim 31, line 2, it is unclear if "content information" refers to "content information" in claim 27, line 2 [i.e. if they are the same, then "the content information" must be used].

xxx. As per claim 34, line 2, it is unclear if "the address information" refers to "at least one address information".

xxxi. As per claim 35, line 2, it has the same problem as claim 34 above.

xxxii. As per claim 53 (line 2), 54 (line 2), and 53 (line 2), the term "the content" has the same problem as claim 2 above.

xxxiii. As per claim 54 (line 2) and 55 (line 2), it is unclear if "the address" refers to "address information".

xxxiv. As per claim 95, line 1, it is unclear if "said address" refers to "address information" in claim 53, line 2 above.

xxxv. As per claim 96, line 1, it is uncertain whether "said address" refers to "address information" or "the address of a site" in claim 54, line 2.

xxxvi. As per claims 97-110 (line 1), the term "said address" has the similar problem as claim 96, line 1 above.

xxxvii. As per claim 112, line 2, it has the same problem as claim 22, line 2 above.

xxxviii. As per claims 116 and 117, line 2, it is unclear if "the requested content" refers to "content information" in claim 31, line 2.

Claim Rejections – 35 USC 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

11. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

12. Claims 1-2, 14-15, 19, 25-30, 83, 110, 113-115, and 126-127 are rejected under 35 U.S.C. 102(e) as being anticipated by Burke, U.S. Patent 6,032,162 (hereinafter Burke).

13. As per claim 1, Burke teaches the invention as claimed of a terminal for use with an information network, said terminal comprising a register (inherently comprised) for storing content information defining the content of one or more sites in said information network (col. 2,

lines 10-15, 23-28; col. 5, lines 25-37) to enable automatic location of sites having content corresponding to the content defining information (col. 7, lines 35-43; col. 8, lines 7-14).

14. As per claims 27 and 126, Burke teaches the invention as claimed of a register (inherently comprised) for use with an information network, said register storing content information, associated address information identifying sites which contain the content defined by said content information and location information identifying the geographic location with which the site defined by said address information is associated (col. 2, lines 10-15, 23-28; col. 5, lines 25-37).

15. As per claim 2, Burke teaches the invention as claimed in claim 1 above. Burke further teach said register is arranged to store information on the address of at least one site having the content defined by said content information (col. 2, lines 23-28).

16. As per claims 14 and 83, Burke teaches the invention as claimed in claims 1 and 2, above. Burke further teach wherein the terminal is arranged to store the address of a server and a service provided by said server (e.g. newspaper, video, etc.) (col. 5, lines 35-37).

17. As per claims 15 and 110 Burke teaches the invention as claimed in claims 1 and 83 above. Burke further teach wherein said address is in accordance with the uniform resource locator format (col. 2, lines 23-25),

18. As per claims 19 and 28, Burke teaches the invention as claimed in claims 1 and 27 above. Burke further teach wherein said information network is the Internet and said terminal has browser capabilities (e.g. storing/categorizing bookmarks)(col. 2, lines 12-13; col. 5, lines 11-13).

19. As per claim 25, Burke teaches the invention as claimed in claim 2 above. Burke further teaches wherein said terminal is arranged to store the said content information defining a site when a user stores in said register the address of that site (col. 5, lines 22-32; col. 6, lines 37-39).

20. As per claim 26, Burke teaches the invention as claimed in claim 1 above. Burke further teaches wherein said terminal is arranged to obtain said content information defining a site from a classification service when a user stores in said register information on a site selected by the user (col. 3, lines 56-58; col. 4, lines 36-40; col. 5, lines 8-23) (storage system obtain content information (theme/topic) from controller that perform classification service when a user select a bookmark to be uploaded to the storage system).

21. As per claims 29 and 113, Burke teaches the invention as claimed in claims 27 and 28 above. Burke further teaches wherein said address information comprises bookmarks (col. 2, lines 23-25).

22. As per claims 30 and 114-115, Burke teaches the invention as claimed in claims 27 and 28-29 above. Burke further teaches wherein said register is arranged to receive requests for associated address information (col. 5, lines 62-67).

23. As per claim 127, Burke teaches the invention as claimed in claim 126 above. Burke further teaches wherein each site is arranged to stored said content information, said terminal being arranged to obtain content information associated with an address and to store said content information in the register thereof. (col. 5, lines 8-37).

Claim Rejections – 35 USC 103

24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

25. Claims 3-12, 20-23, 31-35, 53-81, 84-93, 95-109, 111, and 116-117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burke in view of Himmel et al, U.S. Patent 6,314,423 (hereinafter Himmel).

26. As per claims 3 and 53, Burke teaches the invention as claimed in claims 1 and 2 above. Burke does not explicitly teach said terminal is arranged to send a request for address information. Himmel teach wherein said terminal is arranged to send a request for address information on a site which has the content defined by said content information (col. 8, lines 44-47).

27. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Burke and Himmel because Himmel's teaching of sending a request for address information would allow Burke's system to access bookmarks stored on a remote server in order to be provided to a user.

28. As per claims 4 and 54, Burke and Himmel teach the invention substantially as claimed in claims 3 and 53 above. Himmel further teach which additionally relates to the current location of the terminal (col. 8, lines 58-63; col. 9, lines 57-61). It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Burke and Himmel for the same reason as claim 3 above.

29. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Burke and Himmel for the same reason as claim 3 above.

30. As per claims 5 and 55, Burke and Himmel teach the invention substantially as claimed in claims 3 and 53 above. Himmel further teach which additionally relates to a predetermined

location (col. 8, lines 58-63; col. 9, lines 57-61) (There must be predetermined locale information associated with a particular bookmark set in order to determine which bookmark set to serve based on the locale information). It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Burke and Himmel for the same reason as claim 3 above.

31. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Burke and Himmel for the same reason as claim 3 above.

32. As per claims 6 and 56, Burke and Himmel teach the invention substantially as claimed in claims 54 and 55 above. Himmel further teach wherein said requested address replaces the current address in the register which is associated with the content information (col. 8, lines 43-54)(creating a customized bookmark set from selection of requested bookmarks).

33. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Burke and Himmel for the same reason as claim 54 above.

34. As per claims 7 and 57, Burke and Himmel teach the invention substantially as claimed in claims 54 and 55 above. Burke further teach wherein said requested address is stored in the register along with a home address (bookmark source) associated with the same content information (col. 2, lines 23-26; col. 5, lines 31-34).

35. As per claims 8, 58, 59, 60, 61, 62, 63, 64, and 65, Burke and Himmel teach the invention substantially as claimed in claims 4, 5, 6, 7 and 53 above. Burke further teach wherein said terminal is arranged to select one of a plurality of requested addresses which are associated with the same content information (col. 2, lines 28-33).

36. As per claim 9, Burke and Himmel teach the invention substantially as claimed in claim 4 above. Burke further teach wherein said terminal is arranged to store a plurality of requested addresses which are associated with the same content information (storing bookmarks associated with a theme/topic)(col. 5, lines 11-15).

37. As per claim 10, Burke and Himmel teach the invention substantially as claimed in claim 9 above. Burke further teach wherein said terminal has means for permitting the user to select at least one of said stored addresses (col. 2, lines 28-33).

38. As per claims 11, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, and 81, Burke teaches the invention as claimed in claim 1 above. Burke does not explicitly teach in response to occurrence of at least one predetermined event. Himmel teaches wherein said terminal is arranged to request at least one address of at least one site corresponding to content information provided by the terminal in response to occurrence of at least one predetermined event (col. 8, lines 38-48).

39. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Burke and Himmel because Himmel's teaching of requesting for address information would allow Burke's system to access bookmarks stored on a remote server in order to be provided to a user.

40. As per claim 12, Burke and Himmel teach the invention substantially as claimed in claim 11 above. Although Himmel teaches a terminal requesting for bookmark (address of a site), wherein the bookmark is dependent on geographic locale detected (col. 8, lines 58-63; col. 9, lines 57-61), however, Burke and Himmel does not explicitly teach geographic locale detected is one or more of the following: change of location area of the terminal; the terminal registering with a new network; the terminal entering a different country; the terminal entering a new geographical location; and the terminal leaving a geographical location. It would have obvious to one of ordinary skilled in the art at the time the invention was made that geographic locale detected includes entering, changing, or leaving a location in order to retrieve/ present a particular bookmark set associated with that locale.

41. As per claim 20, Burke teaches the invention as claimed in claim 1 above. Burke does not teach content information defining a site is received in content response message header from site. Himmel teaches content information defining a site is received in HTML message header (col. 5, lines 31-35).

42. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teachings of Burke and Himmel because Himmel's teaching would provide Burke's system with a default method of defining content information when creating bookmark set.

43. Although Himmel teaches content information defining a site is received in HTML message header (col. 5, lines 31-35), however, Burke and Himmel do not teach content response message from the site. It would have obvious to one of ordinary skilled in the art at the time the invention was made that content HTML header include content response message header from a site in order to allow Burke's and Himmel's systems to create bookmark set with content information from message header.

44. As per claims 21 and 111, Burke teaches the invention as claimed in claims 1 and 20 above. Burke does not explicitly teach bookmark storage in association with the browser. Himmel teaches wherein said register provides bookmark storage in association with the browser (user profile such as client id associated with bookmark stored)(col. 8, lines 52-58; col. 9, lines 57-61).

45. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teachings of Burke and Himmel because Himmel's teaching would user in Burke's system to retrieve bookmarks from a remote site based on the user identification.

46. As per claim 22, Burke and Himmel teach the invention substantially as claimed in claim 3 above. Himmel further teach wherein said terminal is arranged to obtain information as to its position (detected locale information), said information being used to determine if the terminal is in an area associated with a given site (determine if terminal is in a geographic locale associated with a bookmark set)(col. 8, lines 58-63; col. 9, lines 57-61).

47. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teachings of Burke and Himmel for the same reason as claim 3 above.

48. As per claim 23, Burke and Himmel teach the invention substantially as claimed in claim 22 above. Although Himmel teach detecting locale information and serving bookmarks dependent on the locale of the client (col. 8, lines 58-63; col. 9, lines 57-61), however Burke and Himmel do not specifically teach update if terminal is determined to have left an area. It would have obvious to one of ordinary skilled in the art at the time the invention was made to update a new locale information if client have left the old locale information in order to serve a particular bookmark set associated with the new locale information.

49. As per claims 31 and 32, Burke teaches the invention as claimed in claim 30 above. Burke does not teach request comprises content information and geographic location information. Himmel teaches a request comprises content information (col. 8, lines 43-47) (keywords/categories).

50. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teachings of Burke and Himmel because Himmel's teaching would allow Burke's system to provide a particular bookmark set matching the requested content information (search keywords/categories) to a user.

51. Burke and Himmel do not explicitly teach request comprise geographic location information. However, It would have obvious to one of ordinary skilled in the art at the time the invention was made that search keywords/categories can include geographic location information (e.g. name of a state or country) in order to allow their system to provide bookmark set matching user entered search keywords/categories specific to a particular geographic location.

52. As per claims 33, 34 and 116-117, Burke teaches the invention as claimed in claims 30, 31, and 32 above. Burke does not teach output address information associated with geographic location information. Himmel teaches a register is arranged to output at least one or all of address information associated with the request content and geographic location information (col. 8, lines 41-51, 58-63) (serving a particular bookmark set associated with the requested content using keywords and geographic location information of client).

53. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Burke and Himmel because Himmel's teaching would allow Burke's system to access bookmarks stored on a remote server in order to be provided to a user.

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54. As per claim 35, Burke and Himmel teach the invention substantially as claimed in claim 33 above. Himmel further teach wherein said register is arranged to select one or more of the address information associated with the requested content and geographic location information (col.9, lines 57-61).

55. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Burke and Himmel for the same reason as claim 33 above.

56. As per claims 84, 85, 86, 87, 88, 89, 90, 91, 92, and 93, Burke teaches the invention as claimed in claims 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 above. Burke further teach wherein the terminal is arranged to store the address of a server and a service provided by said server (e.g. newspaper, video, etc.) (col. 5, lines 35-37).

57. As per claims 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, and 109, Burke and Himmel teach the invention substantially as claimed in claim 53, 54, 55, 56, 57, 61, 65, 66, 75, 76, 77, 78, 79, 80, and 81 above. Burke further teach wherein said address is in accordance with the uniform resource locator format (col. 2, lines 23-25),

58. Claims 16, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burke in view of Smethers, U.S. Patent 6,560,640 (hereinafter Smethers).

59. As per claims 16, 17, and 18, Burke teaches the invention as claimed in claim 1 above. Burke does not teach said terminal is a wireless terminal, portable computer, or a mobile station. Smethers teaches a terminal can be a wireless terminal, portable computer, or a mobile station (col. 5, lines 31-41).

60. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teachings of Burke and Smethers because Smethers's teaching would enable devices in Burke's system to implement bookmarks with reduced amounts of memory resources, and also allow memory resources of the wireless devices not be consumed to store network addresses for bookmarks (col. 5, lines 13-19 and 25-30).

61. Claims 13, 24, 36-37, 82, 94, and 112 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burke and Himmel in view of Official Notice.

62. As per claims 13, and 82, Burke and Himmel teach the invention substantially as claimed in claims 11 and 12 above. Although Himmel teaches wherein said addresses associated with the geographic area are provided (col. 8, lines 58-63; col. 9, lines 57-61), however, Burke and Himmel do not teach broadcasts. Official Notice is taken for the concept of broadcasting is well known in the art. It would have obvious to one of ordinary skilled in the art at the time the invention was made to broadcasting because by doing so it would allow information bookmarks to be provided to all users.

63. As per claims 24 and 112, Burke and Himmel teach the invention substantially as claimed in claims 22 and 23 above. Burke and Himmel do not teach frequency id dependent on the area associated with a given site. Official Notice is taken for the concept of frequency (e.g. GSM vs. CDMA, TDMA) is dependent on area associated with a given site (AT&T vs. Verizon) is known and accepted in the art. It would have obvious to one of ordinary skilled in the art at the time the invention was made to include frequency with which a terminal obtain information on its position is dependent on the area associated with a given site in order to utilize a terminal to obtain information in different countries serviced by different providers (e.g. US uses CDMA vs. Asia uses GSM).

64. As per claim 36, Burke and Himmel teach the invention substantially as claimed in claim 35 above. Burke and Himmel do not teach random selection. Official Notice is taken for the concept of random selection is known and accepted in the art. It would have obvious to one of ordinary skilled in the art at the time the invention was made to include random selection would enable Burke's and Himmel's systems to provide equal opportunity for serving bookmarks associated with different service provider to a user.

65. As per claim 37, Burke and Himmel in view of Official Notice teach the invention substantially as claimed in claim 36 above. Himmel further teach wherein said selection is made in accordance with rules for selecting the best match (col. 8, lines 47-49).

66. It would have obvious to one of ordinary skilled in the art at the time the invention was made to combine the teaching of Burke and Himmel for the same reason as claim 35 above.

67. As per claim 94, Burke and Himmel in view of Official Notice teach the invention substantially as claimed in claim 13 above. Burke further teach wherein the terminal is arranged to store the address of a server and a service provided by said server (e.g. newspaper, video, etc.) (col. 5, lines 35-37).

CONCLUSION

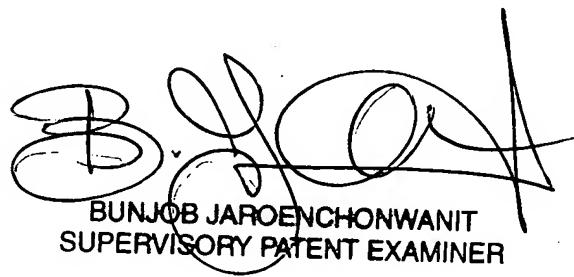
68. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

King et al, US 7,031,964; Mullen-Schultz, US 6,393,462

69. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained

from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

P.L.



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